

GAHC010173672022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil)/1395/2023

THE NATIONAL INSURANCE COMPANY LIMITED
SUBSIDIARY OF GENERAL INSURANCE CORPORATION OF INDIA)
REGISTERED HEAD OFFICE AT 3
MIDDLETON STREET
CALCUTTA 700071
REPRESENTED BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
BHANGAGARH
GUWAHATI 781005

VERSUS

SMTI BHANUMOTI BARMAN AND ORS E
W/O LATE NANDESWAR BARMAN
R/O VILL. SINGHHIMARI
BRAHMATOL
P.O. NAYAGAON
P.S. ABHAYAPURI
DIST. BONGAIGAON
ASSAM
PIN 783384

2:ON THE DEATH OF SHAMSUDDIN ANSARI
HIS LEGAL HEIRS NAMELY-
2.1:SMT KHUSBUN NESSA
W/O LATE SHAMSUDDIN ANSARI
2.2:SIRAJUDDIN ANSARI

S/O LATE SHAMSUDDIN ANSARI
2.3:AKLAKQUE ANSARI
S/O LATE SHAMSUDDIN ANSARI
2.4:EKRAM ANSARI

S/O LATE SHAMSUDDIN ANSARI
2.5:IQBAL ANSARI

S/O LATE SHAMSUDDIN ANSARI
2.6:SMT. RUBINA KHATUN
D/O LATE SHAMSUDDIN ANSARI
2.7:SMT. TAMANNA KHATUN

D/O LATE SHAMSUDDIN ANSARI
2.8:SMT. HENA KHATUN

D/O LATE SHAMSUDDIN ANSARI
ALL ARE RESIDENT OF R/O 1/3 J.K. GHOSH ROAD
P.O. BELGACHIA
P.S. KOLKATA
KOLKATA
WESTBENGAL
PIN 700037
PRESENT ADDRESS -83E/1B/H/14
/ BELGACHIA ROAD
P.O. BELGACHIA
P.S. ULTRADUNGA
KOLKATA
WEST BENGAL
PIN 700037.
3:SHRI BINDADIN PAL

S/O RAM DAS PAL
R/O 61 RAM BAGH GWALIOR
P.O.
P.S. AND DISTRICT GWALIOR
MADHYA PRADESH
PIN 474002.

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for SMTI BHANUMOTI BARMAN AND ORS E

BEFORE
HONOURABLE MR. JUSTICE K. SEMA

ORDER

Date : 01.05.2024

Heard Ms. R. D. Mozumdar, learned counsel for the

applicant/insurance company and Mr. R. Islam, learned counsel for the claimant/opposite party No.1.

The present application has been filed under Section 5 of the Indian Limitation Act, 1963, seeking for condonation of delay of 626 days in filing the substitution application for substituting the legal heirs of the respondent No.2.

Mr. R. Islam, learned counsel for the claimant/opposite party No.1 submits that he has no objection, if the delay of 626 days is condoned.

The grounds for delay in filing the substitution application has been stated in paragraph-3 to 8 of the application.

This court has perused the application seeking for condonation of delay and satisfied that the applicant has satisfactorily explained the delay of 626 days in filing the substitution application to substitute legal heirs of the respondent No.2. The application is accordingly allowed.

The application stands disposed.

JUDGE

Comparing Assistant